

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

POWERS & MERCHANT, PLLC, SOUTH HAVEN X
FINANCIAL LLC, AND FRANK IACONO, :

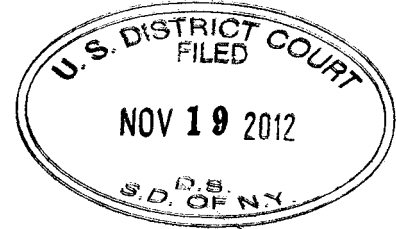
Petitioners, :

-against- :

ABBINGTON PARTNERS, LLC, AND JAMES H. :
MITCHELL, III, :

Respondents. :

Civil Action No. 12cv 7926 (PGG)



**ORDER TO SHOW CAUSE FOR
COMPELLING ARBITRATION AND
SEALING OF PROCEEDINGS**

Upon the attached Petition to Compel Arbitration and Place all Documents Under Seal and the Memorandum of Law in Support of Petition, the Declaration of James DeCristofaro dated October 24, 2012, and the exhibits attached thereto, and the Affidavit of Frank Iacono, sworn to on the 24th day of October 2012, it is

ORDERED that the above-named Respondents show cause before a motion term of this ✓ Court, at Room 6B, United States Courthouse, 500 Pearl Street, in the City, County and State ✓ of New York, on the 16th day of November, 2012, at 12:30 ✓ o'clock in the after noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued: 1) pursuant to 9 U.S.C. § 4, compelling Respondents Abbington Partners, LLC and James H. Mitchell III, to arbitrate all claims covered by the agreements between Petitioners and Respondents, as described in the Petition and attached as exhibits thereto, 2) placing all documents filed in connection with this case under seal for good cause shown, and 3) requiring Respondents to pay the fees, costs and expenses, including

attorneys' fees, incurred by Petitioners in connection with this proceeding, and for such other and further relief as this Court deems just and proper; and it is further

✓ ORDERED that overnight mail service of a copy of this order and annexed Petition, Memorandum of Law in Support of Petition, Declaration of James DeCristofaro and the exhibits attached thereto, and the Affidavit of Frank Iacono, upon the

✓ Respondents or their counsel on or before 5:00 o'clock in the after noon on the 8th day of November, 2012, shall be deemed good and sufficient service thereof.

DATED: New York, New York
~~October~~ November 8, 2012

✓ ISSUED: 2:00 P. M.

Opposition papers, if any, will be served and filed by 5:00 pm on November 13, 2012

Paul S. Rangel
UNITED STATES DISTRICT JUDGE

